

174808.
S.A.'

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7/15/05
tool

SCOTT ELLIOTT

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July 14, 2005

VIA HAND DELIVERY

Mr. Charles Terreni
Chief Clerk of the Commission
SC Public Service Commission
P. O. Drawer 11649
Columbia, SC 29211

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JUL 15 2005

PSC SC
DOCKETING DEPT.

SC PUBLIC
SERVICE
COMMISSION
2005 JUL 14 PM 4:16
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RE: Application of Midlands Utility, Inc. for an approval of New
Schedule of Rates and Chares for Sewage Service provided to
its customers in Richland, Lexington, Fairfield and Orangeburg Counties.
Docket No.: 2004-297-S

Dear Mr. Terreni:

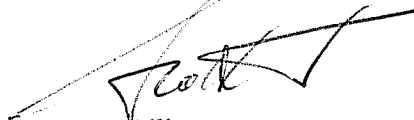
Enclosed please find the original and ten (10) copies of the **Motion to Modify or Amend Order** for filing on behalf of Midlands Utility, Inc. in the above referenced docket. By copy of this letter, I am serving all parties of record.

I have enclosed an extra copy of this testimony which I would ask you to date stamp and return to me via my courier.

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

Elliott & Elliott, P.A.


Scott Elliott

SE/jcl

Enclosures

c: All parties of record w/enc.

Service = OK

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2004-297-S

SO. PUBLIC
SERVICE
COM. REC.
2005 JUL 14 PM 4:16
FILED

IN RE: Application of MIDLANDS)
 UTILITY, INC. For Approval of)
 New Schedule of Rates and Charges)
 For Sewerage Service Provided to)
 Its Customers in Richland, Lexington)
 Fairfield and Orangeburg Counties)

**MOTION TO MODIFY
OR AMEND ORDER**

The Applicant Midlands Utility, Inc. herewith moves pursuant to Rule 26 SC Code Regs. 103-880 that the South Carolina Public Service Commission issue an order modifying or amending Order Number 2005-168 in the above captioned docket to permit the Applicant an additional ninety (90) days in which to place its rates for Phase I of the rate increase approved by this Commission into effect.

This Commission issued Order No. 2005-168 on April 6, 2005. The Office of Regulatory Staff filed and served its Petition for Rehearing and/or Reconsideration and Motion for Clarification of the Commission's Order No. 2005-168 on April 27, 2005. Although this Commission has met and considered the Petition for Rehearing and/or Reconsideration and Motion for Clarification, and issued its directive dated May 24, 2005, it has not issued its final order.

The Applicant has otherwise begun to comply with the terms of Order No. 2005-168. However, out of an abundance of caution, Applicant was reluctant to place Phase I rates into effect until all issues raised in the outstanding petition were resolved by final order of this Commission. The extension will not adversely impact the Applicant's rate payers and is otherwise in the public interest.

The undersigned has conferred with the Office of Regulatory Staff and the Office of Regulatory Staff consents to the within motion.

It is therefore respectfully requested that this Commission amend or modify its Order No. 2005-168 to grant an extension of ninety (90) days or until October 6, 2005, to the Applicant to place its Phase I rates ordered by this Commission into effect.

A handwritten signature in black ink, appearing to read "Scott Elliott", is positioned above a horizontal line.

Scott Elliott, Esquire
Charles H. Cook, Esquire
Elliott & Elliott, P.A.
721 Olive Street
Columbia, SC 29205
803-771-0555
803-771-8010

Columbia, South Carolina

July 14, 2005

CERTIFICATE OF SERVICE

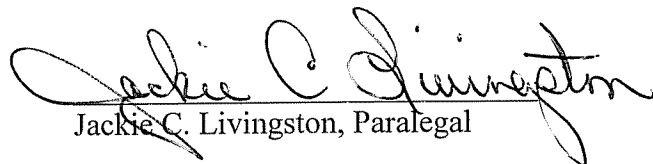
The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of the **Motion to Modify or Amend Order** on behalf of Midlands Utility, Inc., indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Application of Midlands Utility, Inc. for an approval of New
Schedule of Rates and Chares for Sewage Service provided to
its customers in Richland, Lexington, Fairfield and Orangeburg Counties

Docket No.: 2004-297-S

PARTIES SERVED: Florence P. Belser, Esquire
ORS
P. O. Box 11263
Columbia, SC 29211

Wendy B. Cartledge, Esquire
ORS
P. O. Box 11263
Columbia, SC 29211


Jackie C. Livingston, Paralegal

July 14, 2005